AMENDMENTS TO THE CLAIMS

1.   (Currently Amended) A computerized method for creating test item models and generating test item variants comprising the steps of:

    a.   obtaining a test item;

    b.   creating a model by~:~

        i.   identifying elements of the test item to be variabilized~;~

        ii.   variabilizing the elements to create variables~;~ and

        iii.   defining the variables; and

    c.   generating a test item variant using a simultaneous constraint solver.

2.   (Original) The method according to claim 1, wherein said model creation further comprises specifying constraints that define the relationship among the variables.

3.   (Original) The method according to claim 2 further comprising the step of accepting and retrievably storing the test item variant.

4.   (Original) The method according to claim 3 further comprising the step of accepting and retrievably storing the test item model.

5.   (Currently Amended) A computerized method for generating test item variants, the method comprising:

    b.   identifying elements of a test item or a test item model to be variabilized;

    c.   variabilizing the identified elements;

d. defining the variables;

e. specifying constraints;

f. using a simultaneous constraint solver to determine values for the variables; and

g. generating test item variants.

6. (Currently Amended) A computerized system for generating test item variants from test item models comprising:

a. means for retrievably storing test item models:

b. means for selecting a test item model;

c. means for simultaneously solving test item model constraints;

d. means for generating test item solutions by simultaneously solving test item model constraints; and

e. means for displaying, accepting and retrievably storing valid test item solutions.

7. (Currently Amended) The computerized system of claim 6 further comprising:

a. means for obtaining a test item;

b. means for identifying elements of the test item to be variabilized;

c. means for variabilizing the elements to create variables;

d. means for defining the variables; and

e.   means for accepting the variabilized test item with defined variables as a

test item model.

8.   (Currently Amended) The computerized system of claim 7 further

comprising means for specifying constraints that define the relationship among the variables.

9.   (Cancelled) The computerized system of claim 8 further comprising

implementation of the VISUAL BASIC SOURCE CODE set forth in the VISUAL BASIC

SOURCE CODE APPENDIX.

10.   (Cancelled) The computerized system of claim 8 further comprising

implementation of the PROLOG SOURCE CODE set forth in the PROLOG SOURCE CODE

APPENDIX.

11.   (Original) The computerized system of claim 6 further comprising means

for displaying, accepting and retrievably storing the test item model.

12.   (Currently Amended) A computerized system for generating test item

variants comprising:

a.   means for creating, editing and storing variabilized and non-variabilized

test items;

b.   means for selectively variabilizing test item elements;

c.   means for defining test item element variables;

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d.   means for simultaneously solving variabilized test item element

constraints; <u>and</u>

e.   means for displaying and storing accepted test items.

13.   (Currently Amended) A computerized method for generating test item

variants from test item models comprising:

a.   retrievably storing test item models;

b.   selecting a test item model;

c.   simultaneously solving test item model constraints and generating test

item solutions; <u>and</u>

e.   displaying, accepting and retrievably storing valid test item solutions.

14.   (Currently Amended) The computerized method of claim 13 wherein the

step of retrievably storing test ~~items~~ <u>item</u> models comprises:

a.   obtaining a test item;

b.   identifying elements of the test item to be variabilized;

c.   variabilizing the elements to create variables;

d.   defining the variables; <u>and</u>

e.   accepting the variabilized test item with defined variables as a test item

model.

15.   (Currently Amended) The computerized method of claim 13 further

comprising specifying constraints that define the relationship among the variables.

16. (Original) The computerized method of claim 14 further comprising the steps of displaying and retrievably storing the accepted test item model.

17. (Original) The computerized method of claim 14 wherein the test item model constraints are simultaneously solved using PROLOG IV and ~~TCA~~ Test Creation Assistant constraint language.

18. (Cancelled) The computerized method of claim 17 wherein the Prolog simultaneous constraint solver is the PROLOG SOURCE CODE set forth in the PROLOG SOURCE CODE APPENDIX.

19. (Original) The computerized method of claim 14 wherein variables can be defined by values which are variables.

20. (Original) The computerized method of claim 15 wherein the variables are new variables for which new constraints are defined as needed.

STATUS AND SUMMARY

The Examiner has objected to the disclosure because it contains embedded hyperlinks and/or other forms of browser-executable code. The Examiner has further noted the use of the trademark MICROSOFT WORD® in the application in an unapproved format. The Examiner has also noted that the description portion of the application contains a computer program listing consisting of more than three hundred (300) lines.

The Examiner has objected to claim 8 and 15 because the word "he" should be "the." The Examiner has also objected to claim 17 because the acronym "TCA" should be defined prior to use.

The Examiner has rejected claims 9, 10 and 18 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

The Examiner has rejected claims 1-8, 11-16, 19 and 20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,315,572 to *Owens et al.*

The Examiner has rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over *Owens et al.*

Applicants have cancelled claims 9, 10, and 18.

Applicants have amended claims 1, 5-8 and 12-15.

Claims 1-8, 11-17, 19 and 20 remain pending in this application.

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